

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARK PIERCE, on behalf of himself and all others  
similarly situated,

Plaintiff,

vs.

BEIJING-MATSUSHITA COLOR CRT COMPANY,  
LTD.; CHUNGHWA PICTURE TUBES, LTD.;  
CHUNGHWA PICTURE TUBES (MALAYSIA) SDN.  
BHD.; HITACHI, LTD.; HITACHI AMERICA, LTD.;  
HITACHI ASIA, LTD.; IRICO GROUP  
CORPORATION; IRICO DISPLAY DEVICES CO.,  
LTD.; LG ELECTRONICS, INC.; LP DISPLAYS  
INTERNATIONAL, LTD.; MATSUSHITA  
ELECTRIC INDUSTRIAL CO., LTD.; PANASONIC  
CORPORATION OF NORTH AMERICA; ORION  
ELECTRIC CO., LTD.; ORION AMERICA, INC.;  
KONINKLIJKE PHILIPS ELECTRONICS N.V.;  
PHILIPS ELECTRONICS N.V.; PHILIPS  
ELECTRONICS NORTH AMERICA; SAMSUNG  
SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.;  
SAMTEL COLOR, LTD.; THAI CRT COMPANY,  
LTD.; TOSHIBA CORPORATION; AND MT  
PICTURE DISPLAY CO., LTD. and MT PICTURE  
DISPLAY CO., LTD. a/k/a MATSUSHITA TOSHIBA  
PICTURE DISPLAY CO., LTD.,

Defendants.

Case No.: 08-0337 (MMC)

**STIPULATION RE EXTENSION OF  
TIME FOR DEFENDANT TO  
ANSWER, MOVE, OR OTHERWISE  
RESPOND TO PLAINTIFF'S  
COMPLAINT**

WHEREAS Plaintiff Mark Pierce ("Plaintiff") filed a complaint in the above-captioned case on or about January 17, 2008;

WHEREAS Plaintiff alleges antitrust violations by manufacturers, distributors, and sellers of cathode-ray tubes and products containing cathode-ray tubes (collectively, "CRT products");

WHEREAS thirty-three complaints have been filed to date in federal district courts through the United States by plaintiffs purporting to bring class actions on behalf of direct and indirect purchasers alleging antitrust violations by manufacturers, distributors, and sellers of CRT products (collectively, "the CRT Cases");

WHEREAS the Judicial Panel on Multidistrict Litigation has now transferred the CRT Cases to this jurisdiction for coordinated and consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407;

WHEREAS Plaintiff anticipates the possibility of a consolidated amended complaint in the CRT Cases;

WHEREAS Plaintiff and Defendant Philips Electronics North America Corporation ("Philips") have agreed that an orderly schedule for any response to the pleadings in the CRT Cases would be more efficient for the parties and for the Court;

WHEREAS Plaintiff agrees that the deadline for Philips to answer, move, or otherwise respond to the complaint shall be extended until the earliest of the following dates: (1) forty-five days after the filing of a consolidated amended complaint in the CRT Cases; or (2) forty-five days after Plaintiff provides written notice to Philips that Plaintiff does not intend to file a consolidated amended complaint, provided, however, that, in the event that Philips should

agree to an earlier response date in any CRT case, Philips will respond to the complaint in the above-captioned action on that earlier date;

WHEREAS Plaintiff further agrees that this extension is available, without further stipulation with counsel for Plaintiff, to all named defendants who notify Plaintiff in writing of their intention to join this Stipulation and abide by its terms as if they were Philips;

WHEREAS this Stipulation does not constitute a waiver by Philips of any defense, including, but not limited to, the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or service of process; and

WHEREAS with respect to any named defendant joining the Stipulation, this Stipulation does not constitute a waiver of any defense, including, but not limited to, the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or service of process.

THEREFORE, Plaintiff and defendant Philips, by and through their respective counsel of record, hereby stipulate as follows:

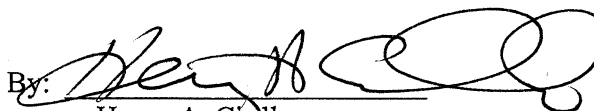
1. The deadline for Philips to answer, move, or otherwise respond to the complaint shall be extended until the earliest of the following dates: (1) forty-five days after the filing of a consolidated amended complaint in the CRT Cases; or (2) forty-five days after Plaintiff provides written notice to Philips that Plaintiff does not intend to file a consolidated amended complaint, provided, however, that, in the event that Philips should agree to an earlier response date in any CRT Case, Philips will respond to the complaint in the above-captioned action on that earlier date.

2. This extension is available, without further stipulation with counsel for Plaintiff, to all named defendants who notify Plaintiff in writing of their intention to join this Stipulation.

3. This Stipulation does not constitute a waiver by Philips, or any other named defendant joining this Stipulation, of any defense, including, but not limited to, the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or service of process.

**IT IS SO STIPULATED.**

Dated: February 22, 2008

By:   
Henry A. Cirillo  
Thomas P. Dove  
Jonathan M. Watkins  
Michael S. Christian

THE FURTH FIRM LLP  
225 Bush Street, 15<sup>th</sup> Floor  
San Francisco, CA 94104-4249  
Telephone: (415) 433-2070  
Fax: (415) 982-2076

Marvin A. Miller  
Lori A. Fanning  
Matthew E. Van Tine  
MILLER LAW LLC  
115 South LaSalle Street, Suite 2910  
Chicago, IL 60603  
Telephone: (312) 332-3400  
Fax: (312) 676-2676

Joseph M. Alioto  
ALIOTO LAW FIRM  
555 California Street, 31<sup>st</sup> Floor  
San Francisco, CA 94104  
Telephone: (415) 434-8900  
Fax: (415) 434-9200

Attorneys for individual and representative  
Plaintiff Mark Pierce

By: Ethan E. Litwin/sec  
Ethan E. Litwin

**HOWREY LLP**

153 East 53<sup>rd</sup> Street, 54<sup>th</sup> FL.

New York, NY 10022

Telephone: (212) 896-6591

Fax: (646) 417-5692

E-mail: [litwine@howrey.com](mailto:litwine@howrey.com)

Attorneys for Defendant Philips Electronics North  
America Corporation